<u>**Pre-Appeal Brief**</u>

<u>Overview</u>

Applicant filed the most recent Amendment on 8-30-2010 and received a final rejection notice on 11-8-2010. Respectfully, applicant respectfully submits that the Examiner's rejections contained clear errors and omissions. Applicant will occasionally make reference to the above Amendment as part of this Brief. Applicant may also refer to the specification as currently presented in this application. Applicant would also like to point out that per MPEP §608.04[1], applicant's figures are part of the specification and to the extent they accurately describe the invention as claimed, the figures support the enablement of the claims.

<u>**Claim 30 - Simultaneous submissions to multiple search engines with merged and prioritized results**</u>

The office action states:

"35. As to claim 30, the claim is rejected for reasons similar to claims 1 and 9 above. Additionally, Rodefer discloses simultaneously submitting, from said web browser, a search request to multiple Internet search engines located on the Internet ([0037])."

Rodefer [0037] states:

[0037] The program allows for multiple target sources to be searched simultaneously for the entered search criteria, thus opening multiple windows, each with results from a specific target location (examples: Yahoo, Google, CNN News, Ebay, spell check, company client database, or user's computer).

Applicant submits that as stated, the office action ignores applicant's remarks and argument regarding claim 30. In the previously-submitted argument, applicant identified an element (aggregation and prioritization) absent from the prior art of record. Applicant's arguments from the Amendment previously submitted on 8-30-2010 follow.

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[1] "In establishing a disclosure, applicant may rely not only on the specification and drawing as filed but also on the original claims if their content justifies it." MPEP §608.04 (2010).

Claim 30 was rejected in the office action for reasons similar to claims 1 and 9, plus paragraph 37 in Rodefer which mentions simultaneously submitting a search request to multiple Internet search engines.

Paragraph [37] in Rodefer states:

> "[0037] The program allows for multiple target sources to be searched simultaneously for the entered search criteria, thus opening multiple windows, each with results from a specific target location (examples: Yahoo, Google, CNN News, Ebay, spell check, company client database, or user's computer)."

Note that Rodefer discloses " ...opening multiple windows, each with results from a specific target location..." Thus, Rodefer discloses opening a separate results window for each search engine. Nowhere does Rodefer suggest that the search results should be "aggregated and/or prioritized" before being displayed in multiple windows as required by applicant's claim 30 and as described (emphasis added) in applicant's paragraph [0037]:

> "...Each search engine processes the request and returns a webpage that contains a list of hyperlinks and/or images with hyperlinks. These webpages when communicated back to the enhanced web browser are in a binary format representing text. This format can be used to reconstruct a list of hyperlinks. The lists of hyperlinks returned from one or more search engines can be **aggregated and/or prioritized** by such web browser."

As such, applicant respectfully submits that the suggested combination using Rodefer does not render applicant's claim 30 obvious and the rejection per the office action was in error. Specifically, the following limitations of claim 30 are not found in Rodefer:

30. A method for retrieving and viewing webpages in a single web browser
instance operating on a user's computer, comprising the sequential steps of: ...
automatically forming a single queue of hyperlinks from all hyperlink lists
received by aggregating or prioritizing hyperlinks from said hyperlink lists;...

Claim 22 - Multiple webpages displayed by default instead of conventional list of hyperlinks

Applicant's invention contrasts with prior art search paradigms by replacing the
conventional hyperlink list display with a multi-webpage display corresponding to a
hyperlink list that by default is not shown. Applicant's figures 1-7 show the prior art
paradigm including figures 2, 3 and 5 that specifically show lists of hyperlinks displayed.
In contract to the prior art, all of applicant's figures that show a screen layout according
to the instant invention (figures 9-12 and 20-26) only show webpages displayed and
never a list of hyperlinks. Applicant's figure 9 shows an on-screen button 921 that when
selected will display a list of hyperlinks when if and when the user desires. However,
the default condition as consistently shown in applicant's figures is that of webpage
display and not hyperlink list display.

Thus, applicant submits that the office action was in error in rejecting applicant's
claim 22 as amended. Applicant's remarks pertaining to claim 22 in the amendment of
8-30-2010 follow:

In addition, claim 22 has been amended to be consistent with the primary
paradigm of the instant invention. The prior-art search paradigm of
dealing primarily with (visible) lists of links returned by a search engine is
replaced in the instant invention with the paradigm of dealing with fully
operable multiple webpage widows. Note that applicant's figures 9
through 12 do not show the list of search result as merely links. Only
button 921 is shown in figure 9 which is described as a control input
(paragraph 117, line 5: "...inputs may be entered...") to "...list 921 the
current hyperlink queue..." As such, applicant has described a paradigm
where the default condition is to NOT display the hyperlink queue

returned by a search engine and instead shows the results directly in multiple webpage windows per applicant's figures 9 through 12. Per the instant invention, the user would press a button if they desire to view the list of links, the expectation being that they would normally prefer to view the multiple windows instead. Accordingly, claim 22 has also been amended to include: "...and wherein said hyperlink list by default is not displayed."

If it is more acceptable to the examiner to not include a negative condition in claim 22, applicant would accept the following for this claim element:

", and wherein said hyperlink list ~~by default is not~~ is displayed in response to a selection by the user;"

Summary

Applicant respectfully requests re-consideration of the Amendment previously submitted on 8-30-2010.

If the Examiner feels that a telephonic interview will expedite review of the case, he is urged to call the undersigned at the phone number provided. Claims 1-2, 6-10, 16-17, 19, 21-31, and 33 were rejected and are currently pending. Claims 1, 2, 6, 9, 22, and 30 are amended.

Dated: January 8, 2011   Respectfully submitted,

                                          CHERSKOV & FLAYNIK

                                          /Szymon M. Gurda/
                                          _____
                                          Szymon M. Gurda
                                          Reg. No. 58,451